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February 22, 2024

Via ECF

Hon. P. Kevin Castel, United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: USA v. Eugene Austin
23-Cr-508 (PKC)

Dear Judge Castel:

I represent Mr. Austin in the above matter. I am submitting this letter motion as a request for a temporary modification of Mr. Austin's bail conditions. Mr. Austin is currently on home detention as part of his bail package.

On Wednesday, February 28, 2024, Mr. Austin's fiancé, Jennifer Hildreth, is scheduled for a surgical procedure at 7:30 AM at 200 Veteran's Memorial Highway in Hauppauge, New York. She will remain overnight after the procedure and will be discharged at 5:30 AM the following day, February 29, 2024. Mr. Austin is seeking permission to drive her to the hospital and pick her up the next morning.

Ms. Hildreth has two children: her son, Tyler, is autistic and attends a program every day, and her daughter, who lives in Florida. Ms. Hildreth's daughter is coming to New York on February 27 to take care of Tyler while Ms. Hildreth is in the hospital. Mr. Austin is the only person who can drive Ms. Hildreth to and from the hospital.

*Temporary modification
for Feb 28 and 29
is GRANTED.
SO ORDERED
JMS
USDS
2-22-24*

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[With that in mind, I am seeking a temporary modification of Mr. Austin's bail conditions to allow him to take Ms. Hildreth to and from the hospital. He will leave his home at 6:00 AM on February 28, 2024, drive Ms. Hildreth to the hospital, and then return home once she is taken into surgery. On February 29, 2024, Mr. Austin will leave his home at 4:30 AM to pick up Ms. Hildreth at the hospital, take her home, and then return to his home once she is settled in her home.] OK

Neither the Government nor Pre-Trial have any objection to the proposed modification. Accordingly, I am respectfully requesting that the Court make a temporary modification of Mr. Hugh Austin's bail to allow him to transport Ms. Hildreth to and from her surgical procedure.

Thank you for your consideration in this matter.

Very truly yours,


David K. Bertan

DKB

cc: AUSA Andrew Chan (via ECF)